



DAC 1744

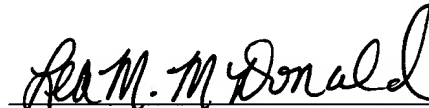
PATENT
Attorney Docket No. INL-052
(4643/94)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Mansouri et al.
SERIAL NO.: 09/871,885 GROUP NO.: 1744
FILING DATE: May 31, 2001 EXAMINER: Not Yet Assigned
TITLE: ANALYTICAL INSTRUMENTS, BIOSENSORS AND METHODS
THEREOF

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on this 30th day of August, 2001.


Lea M. McDonald

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

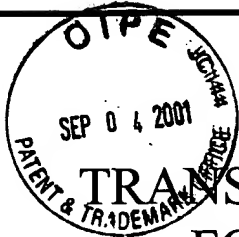
Submitted herewith is/are:

1. Transmittal Form (1 pg.);
2. Petition to Accord a Filing Date(2 pgs.);
3. Exhibits A-C;
4. Declaration of Lea McDonald in Support of Petition to Accord a Filing Date (2 pgs.); and
5. Return Receipt Postcard.

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TRANSMITTAL FORM

| | |
|-----------------------------|------------------|
| Application Serial Number | 09/871,885 |
| Filing Date | May 31, 2001 |
| First Named Inventor | Mansouri |
| Group Art Unit | 1744 |
| Examiner Name | Not Yet Assigned |
| Attorney Docket No. | INL-052 |
| BATCH NO. (after allowance) | Not applicable |
| Patent No. | Not applicable |
| Issue Date | Not applicable |

ENCLOSURES (check all that apply)

| | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences |
| <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____] | <input type="checkbox"/> Formal Drawing(s) | <input type="checkbox"/> Appeal Brief (in triplicate) |
| <input type="checkbox"/> Petition for Extension of Time | <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal | <input type="checkbox"/> Status Inquiry |
| <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations | <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) | <input checked="" type="checkbox"/> Return Receipt Postcard |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 |
| <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above | <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application | <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 |
| | <input type="checkbox"/> Small Entity Statement | <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) |
| | <input type="checkbox"/> CD(s) for large table or computer program | <input checked="" type="checkbox"/> Petition to Accord a Filing Date As of "Date-In" on Express Mail Label with Exhibits A-C |
| | <input type="checkbox"/> Amendment After Allowance | <input checked="" type="checkbox"/> Declaration of Lea McDonald in Support of Petition to Accord a Filing Date |
| | <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate) | |

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DEPUTY A/C PATENTS**

CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

Date: August 30, 2001
Reg. No. 44,244
Tel. No.: (617) 248-7044
Fax No.: (617) 248-7100

Ronda P. Moore, D.V.M.
Ronda P. Moore, D.V.M.
Attorney for Applicants
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110



PATENT
Attorney Docket No. INL-052
(4643/94)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Mansouri et al.
SERIAL NO.: 09/871,885 GROUP NO.: 1744
FILING DATE: May 31, 2001 EXAMINER: Not Yet Assigned
TITLE: ANALYTICAL INSTRUMENTS, BIOSENSORS AND METHODS
THEREOF

Assistant Commissioner for Patents
Washington, D.C. 20231

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OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Petition to Accord A Filing Date as of the "DATE-IN"
on the USPO "Express Mail" Mailing Label
(37 C.F.R. 1.10(c))

A petition is hereby promptly filed (37 C.F.R. 1.10(c)(1)) to accord the above-referenced patent application a filing date as of "date-in", May 31, 2001 on the "Express Mail" mailing label (a true copy of the "Express Mail" mailing label showing the "date-in" is appended as Exhibit A) and not June 1, 2001 as indicated on the filing receipt (Exhibit B).

The earlier filing date of May 31, 2001 should be granted in view of the following facts:

1. The application was prepared for filing on May 31, 2001 by Lea McDonald, secretary at the undersigned law firm;
2. The express mail mailing certificate which accompanied the application was dated May 31, 2001;
3. Lea McDonald prepared mail label number EL816799015US for the application.
4. The express mail label number was placed on all papers and fees that constitute the application of U.S. 09/871,885 prior to the original mailing by Express Mail;
5. According to our standard office procedure, an entry was made in the U.S. Patent Office Postcard sent/Received log, which is maintained by the undersigned law firm,

indicating that a postcard accompanying a patent application was mailed May 31, 2001 (Exhibit C), and;

6. Lea McDonald caused the application to be hand carried to the U.S. Post Office (Fort Point Post Office) located at the South Station Annex, Boston, MA on May 31, 2001, and submitted for mailing via Express Mail on that date, to the Box Patent Application, Commissioner for Patents, Washington, D.C. 20231, as is hand written in the "date in" section of the mailing label by the Post Office (Exhibit A) and stamped on the label.

In support of these facts, a declaration signed by Lea McDonald is herewith submitted.

While it is believed that no fee is due, the Assistant Commissioner is hereby authorized to charge any fees in reference to this petition to Deposit Account No. 20-0531.

Respectfully submitted,

Date: August 30, 2001
Reg. No. 44,244

Tel. No.: (617) 248-7044
Fax No.: (617) 248-7100

Ronda P. Moore, D.V.M.
Ronda P. Moore, D.V.M.
Attorney for Applicants
Testa, Hurwitz, & Thibeault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110



PATENT
Atty. Docket No. INL-052
(4643/94)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Mansouri et al.

SERIAL NUMBER: 09/871,885

GROUP NUMBER: 1744

FILING DATE: May 31, 2001

EXAMINER: Not Yet Assigned

TITLE: ANALYTICAL INSTRUMENTS, BIOSENSORS AND METHODS
THEREOF

Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

**DECLARATION OF LEA MCDONALD IN SUPPORT OF PETITION TO
ACCORD A FILING DATE AS OF THE "DATE-IN" ON THE USPO
"EXPRESS MAIL" MAILING LABEL (37 C.F.R. 1.10(c))**

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

I, Lea McDonald, do hereby declare and state:

1. I am a secretary in the undersigned law firm.
2. I prepared the above-referenced application for filing on May 31, 2001.
3. I prepared a transmittal letter, dated May 31, 2001, which was signed by the responsible attorney, Ronda P. Moore, D.V.M., to accompany the application.
4. I prepared an Express Mail Label No. EL816799015US for the application.
5. I caused the application to be hand carried to the U.S. Post Office located at The South Station Annex, Boston, Massachusetts on May 31, 2001 and submitted for mailing via Express Mail to Box Patent Application, Commissioner for Patents, Washington, D.C. 20231 on that date, as is hand written on the mailing label. (Exhibit A)

7. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: August 30, 2001

Lea McDonald

Lea McDonald



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|----------------|----------|------------|------------|
| 09/871,885 | 06/01/2001 | 1744 | 710 | INL-052 | 9 | 18 | 3 |

021323

TESTA, HURWITZ & THIBEAULT, LLP
HIGH STREET TOWER
125 HIGH STREET
BOSTON, MA 02110

CONFIRMATION NO. 2067

FILING RECEIPT



OC00000006368162

Date Mailed: 08/01/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Sohrab Mansouri, Sudbury, MA;
Vasile Cosofret, Acton, MA;
Clarke Xu, Maynard, MA;

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Domestic Priority data as claimed by applicant

Foreign Applications

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DEPUTY A/C PATENTS

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

No Docketing Necessary

Title

Analytical instruments, biosensors and methods thereof

KMA
Administrator

8-7-01
Date

Revised & Approved

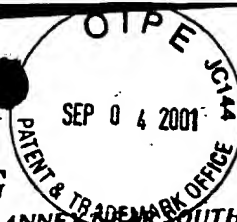
Preliminary Class

204

R p. Atty

Date

DEPOSITOR'S NAME

Donald**EXPRESS MAIL LOG**

FOR EXPRESS MAIL DEPOSITED WITH A USPS EMPLOYEE AT THE US POSTAL ANNEX 1000 SOUTH STATION (24 HOURS)
OR AT THE CONGRESS STREET POST OFFICE (UNTIL 5:00 P.M.)

| DATE & TIME MAILED | EXPRESS MAIL NUMBER | CLIENT/MATTER | DOCKET NUMBER | ATTY | DATE & TIME RECEIPT LOGGED | INITIALS |
|---------------------|---------------------|---------------|---------------|------------|----------------------------|------------|
| 5/14/01 | EL816799109US | 1092/232 | BSC-171 | RJT CLP | 1/1 AM PM | |
| 5/12/01 9:30 AM | EL816799041US | 1545/123 | CTX-070 | ECB | 5/25/01 10:23 AM | <i>LMU</i> |
| 5/12/01 5:30 AM | EL816799069US | 1545/125 | CTX-072 | ECB | 5/25/01 10:21 AM | <i>LMU</i> |
| 5/12/01 5:30 AM | EL816799086US | 1545/124 | CTX-071 | ECB | 5/25/01 10:20 AM | <i>LMU</i> |
| 5/12/01 5:30 AM | EL816799090US | 1545/121 | CTX-053 | ECB | 5/25/01 10:24 AM | <i>LMU</i> |
| 5/13/01 11:00 AM | EL816799038US | 4043/57 | INL-051 | CL | 5/13/01 10:44 AM | |
| 5/13/01 11:00 AM | EL816799024US | 4043/57 | INL-052 | CL | 5/13/01 10:43 AM | |
| 5/13/01 11:00 AM | EL816799015US | 4043/57 | INL-052 | CL | 5/13/01 10:47 AM | |
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